

**IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF VIRGINIA
ABINGDON DIVISION**

**CIVIL MINUTES – JURY TRIAL
Day 1**

Case No.: 7:21CV414

Date: 12/18/2023

Mark Joseph Shipp
Plaintiff

Counsel: Thomas Strelka
Leigh Rhoads

v.

David W. Bogle, et al
Defendants

Counsel: Andrew Page
Anne Morris

PRESENT: JUDGE: Thomas T. Cullen
TIME IN COURT: 9:01a-10:27a,10:44a-12:30p,1:37p-2:25p,2:42p-3:19p
3:42p-3:54p Total time 4h 49mins
Deputy Clerk: C. Kemp
Court Reporter: S. Bragg

LIST OF WITNESSES

PLAINTIFF	DEFENDANT
1. Mark Shipp	1. Daryl Craig
2. David Bogle	2. Earnest Herald
3. Kevin Punturi	
4. Reyce Collins	
5. Douglas Neal	
6. David Hammond	
7. Eric Scott	
8. Mark Shipp, rebuttal	

PROCEEDINGS:

32 jurors present and sworn on Voir Dire.
7 jurors struck for i.e.,for cause, by court, excused.
3 jurors struck by Plaintiff.
3 jurors struck by Defendant.
8 member jury impaneled and sworn. Remaining jurors discharged.
☒ Motion to Exclude Witnesses from Courtroom granted.
☒ Preliminary remarks and instructions to jury by Court.
☒ Opening Statements.
☒ Plaintiff begins presentation evidence. ☒ Plaintiff rests.
☒ Defendant Motion for Judgment as a Matter of Law.
Court ☒ denies.

- ☒ Defendant begins presentation of evidence. ☒ Defendant rests.
- ☒ Rebuttal evidence.
- ☒ Jury released for the day at 3:18 p.m. to return 12/19/23 at 9:30 a.m.
- ☒ Defendant renews Motion for Judgment as a Matter of Law.
- Court ☒ denies.
- ☒ Charging conference conducted; objections noted on the record.
- ☒ Adjourned. Court to resume 12/19/23 at 9:30 a.m.